(3)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR (C.G.)

M.A. No. 401 /2002.

APPELLANT
CLAIMANT : Sonmet wife of Channu Ram koir, aged about 55 years, Occupation- Agriculture & House work, R/o of village - Chhindiya, Thana & Post - Patna, Tah. - Baikunthpur, Distt.- Koriya (C.G.).

V E R S U S

RESPONDENT
NON-APPLICANT : 1. National Insurance Co. Ltd., Through : Branch Manager, National Insurance Co. Ltd. Korba Post Office, Korba Distt. Korba (C.G.) (INSURER)

2. Ramlal Jaiswal S/o Mahadev Jaiswal, aged about 40 years, resident of village-Chhindiya, Thana & Post - Patna, Tah. - Baikunthpur, Distt. Koriya (C.G.). (OWNER)

3. Santlal son of Buddhu Ram, aged about 28 years, Occupatio Driver, R/o village- Bardiya, Thana & Post - Patna, Tah. - Baikunthpur, Distt- Koriya (C.G.). (DRIVER)

P.R. No. 1608 Presented by Shri Ashok Shukla 16-4-02

APPEAL UNDER SECTION 173 OF MOTOR VEHICLE ACT, 1988

FOR ENHANCEMENT OF THE AWARD :

HIGH COURT OF CHHATTISGARH: BILASPUR
(LOK ADALAT)

MISCELLANEOUS APPEAL No. 401 OF 2002

Appellant: Sonmet

Versus

Respondents: National Insurance Co. Ltd. & Others

(Arising out of Claim Case No. 15/2001)

03/02/2007

Shri Ashok Kumar Shukla, counsel for the appellant.

Shri. S. Das, Assistant Manager, National Insurance Company Ltd. with Shri Anand Kumar Gupta, counsel for respondent No.1.

None for respondents No. 2 and 3.

In terms of compromise, award is passed as below:-

1) In addition to compensation already awarded by the Tribunal, respondent No.1 shall pay Rs. 10,000/- (Rupees Ten thousand only) to the appellant.
2) For disbursement and deposit in FDR, the Tribunal may pass appropriate orders.
3) The amount, if any, kept in deposit with Bank shall be payable under the orders of Tribunal in accordance with law.
4) Appellant shall be entitled to receive interest on the amount so deposited, if any.
5) In view of the above, appeal against respondents No. 2 and 3 stands dismissed.
6) Out of the above amount, Rs.100/- (Rupees ten hundred only) shall be paid to counsel for the appellant directly by respondent No.1 towards counsel fee.
7) If the amount awarded is not deposited within a period of one month, the Insurance Company shall be liable to pay interest at the rate of 9% per annum thereafter.
8) Copy of the award shall be given to the parties free of cost.

Sd/-
Justice V.K. Shrivastava
Member- Lok Adalat
High Court of Chhattisgarh
Bilaspur

Sd/-
Member – Lok Adalat
High Court of Chhattisgarh
Bilaspur

raju